



VETERANS' BURIAL RIGHTS

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WHAT ARE MY RIGHTS AS A VETERAN TO BE BURIED IN A NATIONAL CEMETERY?

As a veteran, you are likely entitled to be buried in any national cemetery with available grave sites. The cost of shipping the remains must often be borne by the decedent's family.

To be buried at a national cemetery, you must be:

1. A member of the Armed Forces of the United States who dies on active duty.
2. A citizen of the United States who, during any war in which the United States has been or may be engaged, served in the Armed Forces of any Government allied with the United States during that war, whose last active service terminated honorably by death or otherwise, and who was a citizen of the United States at the time of entry into such service and at the time of death.
3. A veteran who was discharged under conditions other than dishonorable. With certain exceptions, service beginning after 7 September 1980, as an enlisted person, and service after 16 October 1981, as an officer, must be for a minimum of 24 continuous months or the full period for which the person was called to active duty (e.g. a Reservist called to active duty for a limited duration). Undesirable, bad conduct, and any other type of discharge other than honorable may or may not qualify the individual for Veterans benefits, depending upon a determination made by a VA Regional Office.

Further eligibility information regarding Reservists, National Guard members, Public Health Service, and other categories is available at www.cem.va.gov/bbene/eligible.asp.

WHAT ABOUT SPOUSES AND DEPENDENTS?

The spouse, surviving spouse or dependent of an eligible Veteran or member of the Armed Forces may be eligible for interment in a national cemetery even if that Veteran is not buried or memorialized in a national cemetery.

The minor children of an eligible Veteran may also be buried in a national cemetery. For that purpose, a minor child is defined as a person who is unmarried and:

- (1) Under the age of 21 years; or
- (2) Under 23 years of age and pursuing a course of instruction at an approved educational institution.

To confirm eligibility for burial benefits, you may call a Veterans Benefits Counselor at (800) 827-1000.

DOES THE DEPARTMENT OF VETERANS AFFAIRS HAVE BURIAL ALLOWANCES?

To qualify the Veteran must have been discharged under conditions other than dishonorable. In addition, at least one of the following conditions must be met:

- The Veteran died as a result of a service-connected disability, OR
- The Veteran was receiving VA pension or compensation at the time of death, OR
- The Veteran was entitled to receive VA pension or compensation, but decided to receive his or her full military retirement or disability pay, OR
- The Veteran died while hospitalized by VA, or while receiving care under VA contract at a non-VA facility, OR
- The Veteran died while traveling under proper authorization and at VA expense to, or from, a specified place for the purpose of examination, treatment, or care, OR
- The Veteran had an original or reopened claim for VA compensation or pension pending at the time of death and would have been entitled to benefits from a date prior to the date of death, OR
- The Veteran died on, or after, October 9, 1996, while a patient at a VA-approved state nursing home.

Reimbursement of burial expenses comes in the following forms:

1. Service-Connected Death: VA will pay a burial allowance up to \$2,000 if the veteran's death is service-connected. In some instances, VA also will pay the cost of transporting the remains of a service-disabled veteran to the national cemetery nearest the home of the deceased that has available gravesites. In such cases, the person who bore the veteran's burial expense may claim reimbursement from VA.

2. Non Service-Connected Death: VA will pay a \$300 burial allowance and \$747 for the plot. (The amount paid for the plot varies passed on the fiscal year in which the Veteran died. \$747 is the amount for fiscal year 2016.) There are higher non-service-connected death rates payable if the Veteran was hospitalized by VA at the time of his or her death. You can apply by filling out VA Form 21P-530, *Application for Burial Benefits*. You should attach a copy of the veteran's military discharge document (DD Form 214 or the equivalent), death certificate, and funeral and burial bills indicating that you have paid them in full. VA Form 21P-530 is available at www.va.gov/vaforms.

For information on monetary benefits, call 1-800-827-1000.

WHEN CAN I, OR MY REPRESENTATIVE, APPLY FOR ME, OR MY ELIGIBLE DEPENDENT, TO BE BURIED AT A NATIONAL CEMETERY?

Application for burial in a national cemetery will be honored ONLY at the time of death of the veteran or an eligible dependent. No grave sites are reserved in advance.

WHAT ARE MY BENEFITS IF I AM BURIED IN A PRIVATE CEMETERY?

Government headstones are provided without charge and shipped to the designated consignee. Complete a VA Form 40-1330, *Application for Standard Government Headstone or Marker for Installation in a Private or State Veterans' Cemetery* and submit it to your local VA office.

When burial is in a private cemetery, burial flags may be obtained from VA regional offices, national cemeteries and most U.S. post offices by completing VA Form 27-2008, *Application for United States Flag for Burial Purposes*, and submitting it with a copy of the veteran's discharge papers at any of these locations.

These forms are available at www.va.gov/vaforms.

CONSIDERATIONS WHEN PREPARING BURIAL IN PRIVATE CEMETARY

- When responding to an offer of a "free" gravesite for Veterans, ask if there is a requirement to purchase an additional gravesite.
- If an additional gravesite is required, where will it be located and what is the cost?
- What type of trust fund does the cemetery have to protect buyers?
- Ask if there are restrictions on the type of headstone or marker that can be used to mark the grave.
- Does the cemetery require a special marker base to be purchased prior to ordering a free government marker for a Veteran's grave?
- Is there an additional cost for the placement, setting or care of a free government headstone or marker? Is it more than if a private headstone or marker is purchased?
- Is an outside container (usually called a "vault" or "grave liner") required and how much does it cost?
- Know what you are receiving and what is required by the company and have them put it in writing prior to burial.

Preparing in Advance

You should advise your family of your wishes and where your discharge papers are kept. These papers are very important in establishing your eligibility.

To schedule a burial: Fax all discharge documentation to the National Cemetery Scheduling Office at 1-866-900-6417 or Scan and Email to NCA.Scheduling@va.gov and follow-up with a phone call to 1-800-535-1117.

For more information contact the Department of Veterans Affairs - National Cemetery Administration at 810 Vermont Avenue, NW, Washington, DC 20420 or on the Internet at <http://www.cem.va.gov> or http://www.va.gov/opa/publications/benefits_book.asp. To speak to a Veterans Benefit Counselor, call 1-800-827-1000.

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